



Order Filed on March 29, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for: Caliber Home Loans, Inc.

In Re:
Raymond D. Neate
Sheila D. Neate
aka Sheila D. Coles
Debtor

Case Number: 17-19216-JNP

Judge: Jerrold N. Poslusny, Jr.

Hearing Date(s): February 1, 2022

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY/CREDITOR'S CERTIFICATION OF
DEFAULT AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: March 29, 2022

A handwritten signature in dark ink, appearing to read "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Applicant:	Caliber Home Loans, Inc.
Applicant's Counsel:	Steven Kelly
Debtor's Counsel:	Steven A Silnutzer
Property Involved ("Collateral"):	213 Washington Avenue, Egg Harbor City, NJ 08215

Relief sought: ☒ Motion for relief from the automatic stay/Creditor's Certification of Default
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 8 months, from 07/01/2021 to 02/01/2022 and 1 month of down payment due on 07/31/2021.

☒ The Debtor is overdue for 4 payments at \$1,483.44 per month and overdue for 4 payments at \$1,381.14 per month and overdue for 1 down payment at \$3,420.78.

☐ The Debtor is assessed for ___ late charges at \$_____ per month.

☒ Applicant acknowledges receipt of funds in the amount of \$2,800.00 received after the Certification of Default was filed and a Suspense Balance, at the time the Certification of Default was filed, in the amount of \$1,000.00.

Total Arrearages Due: \$11,079.10.

2. Debtor must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$ _____ received. Payment shall be made no later than _____.

☒ Beginning on **03/01/2022**, regular monthly mortgage payments shall continue to be made in the amount of **\$1,381.14**, or as adjusted by any timely filed Notice of Mortgage Payment Change filed under Fed. R. Bankr. P. 3002.1(b).

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$ _____ for _____ months.

☒ The amount of **\$11,079.10** shall be capitalized in the debtor's Chapter 13 plan. Debtors shall file a Modified Plan within fourteen (14) days of entry of this Order providing for the arrears contained herein as well as an Amended Schedule I and J, if necessary. Debtor and Movant hereby authorize the Chapter 13 Standing Trustee to make distributions under this Agreed Order from any funds on hand.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment:

☒ Regular monthly payment:

Caliber Home Loans, Inc.
P.O. Box 24330
Oklahoma City, OK 73124

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification

specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

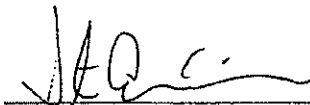
☒ The Applicant is awarded attorneys' fees of \$300.00, and costs of \$0.00.

The fees and costs are payable:

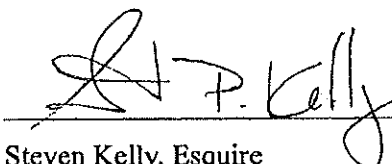
☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.



Steven A Silnutzer, Esquire
Counsel for Debtor



Steven Kelly, Esquire
STERN & EISENBERG, PC
Attorney for Movant

Rev. 8/11/15